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14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 LINDSEY BLACKBURN, individually and on  
behalf of all others similarly situated,

17 Plaintiff,

18 v.

19 CLASSPASS USA LLC,

20 Defendant.  
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Case No. 3:25-cv-06109-WHO

**STIPULATION AND ~~PROPOSED~~  
ORDER TO SET BRIEFING  
SCHEDULE FOR CLASSPASS'  
MOTION TO STAY PENDING  
ARBITRATION AND CONTINUE  
INITIAL CASE MANAGEMENT  
CONFERENCE DEADLINES;  
SUPPORTING DECLARATION OF TIA  
Q. NGUYEN**

Pursuant to Local Rule 6-2, Plaintiff Lindsey Blackburn (“the plaintiff”) and Defendant ClassPass USA LLC (“ClassPass”) (collectively, the “Parties”) hereby stipulate and agree has follows:

**WHEREAS**, pursuant to ECF No. 24, ClassPass filed a Motion to Stay Pending Arbitration on November 26, 2025 and noticed the Motion for hearing on April 1, 2026 at 2:00 PM (*see* ECF No. 28);

**WHEREAS**, pursuant to Local Rule 7-3, the current deadline for the plaintiff’s Response to ClassPass’ Motion to Stay Pending Arbitration is December 10, 2025, and the current deadline for ClassPass’ Reply is December 17, 2025;

**WHEREAS**, on November 26, 2025, the Parties conferred and agreed to modify the briefing schedule for ClassPass’ Motion to Stay Pending Arbitration as follows:

The plaintiff’s Opposition: January 21, 2026

ClassPass’ Reply: March 4, 2026;

**WHEREAS**, the Parties previously agreed to seek to continue the Initial Case Management Conference (“Conference”) and related deadlines until thirty (30) days after the Court enters its order resolving ClassPass’ arbitration motion (*see* ECF No. 23), and the Court granted the parties’ request in part and continued the Conference until February 17, 2026 at 2:00 PM (*see* ECF No. 24);

**WHEREAS**, on November 26, 2025, the Parties conferred and agreed that in light of the Parties’ proposed briefing schedule for ClassPass’ Motion to Stay Pending Arbitration, that the currently scheduled February 17, 2026 Conference (and related deadlines) should be continued until at least thirty (30) days after the Court’s order resolving ClassPass’ Motion, or another date after briefing is completed subject to the Court’s preference;

**WHEREAS**, continuing the Conference deadlines in light of the Parties’ stipulated briefing schedule on ClassPass’ Motion to Stay Pending Arbitration will promote judicial economy and conserve resources by allowing the Court to decide the threshold question of arbitrability before addressing broader case management matters;

**WHEREAS**, this stipulation will affect the current deadlines associated with ClassPass’

1 Motion to Stay Pending Arbitration and the current Conference deadlines, but will not affect any  
2 other deadlines currently set by the Court;

3 **WHEREAS**, this stipulation is not made for the purpose of delay and will not cause  
4 prejudice to the respective Parties;

5 **WHEREAS**, this is the fourth time the Parties have sought any scheduling modification in  
6 this case (*see* ECF Nos. 13, 19, 23);

7 **IT IS HEREBY STIPULATED AND AGREED**, that subject to the Court's approval, the  
8 following briefing schedule shall apply to ClassPass' Motion to Stay Pending Arbitration:

9 The plaintiff's Opposition: January 21, 2026

10 ClassPass' Reply: March 4, 2026;

11 **IT IS FURTHER STIPULATED AND AGREED**, that subject to the Court's approval,  
12 the Conference shall be extended until at least thirty (30) days after the Court's decision resolving  
13 ClassPass' Motion to Stay Pending Arbitration, or another date after briefing is completed, subject  
14 to the Court's preference.

15 **IT IS SO STIPULATED.**

16 Date: December 1, 2025

By: /s/ Tia Q. Nguyen

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*ClassPass USA LLC*

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28 STIPULATION AND ~~PROPOSED~~ ORDER TO SET BRIEFING SCHEDULE FOR CLASSPASS'  
ARBITRATION MOTION AND CONTINUE CASE MANAGEMENT CONFERENCE DEADLINES

CASE NO. 3:25-CV-06109-WHO

By: /s/ Philip L. Fraietta

Philip L. Fraietta

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*Lindsey Blackburn*

**~~PROPOSED~~ ORDER**

**PURSUANT TO STIPULATION, IT IS SO ORDERED. The hearing date of the motion shall be April 1, 2026, and the initial Case Management Conference is set for April 21, 2026 at 2:00 p.m.**

Date: December 1,  
2025 \_\_\_\_\_

  
\_\_\_\_\_  
HONORABLE WILLIAM H. ORRICK

**ATTORNEY ATTESTATION**

Pursuant to N.D. Cal. Civil L.R. 5-1(i)(3), I attest that the concurrence in the filing of this document has been obtained from each of the other signatories shown above and that all signatories have authorized placement of their electronic signature on this document.

Dated: December 1, 2025

/s/ Tia Q. Nguyen  
Tia Q. Nguyen

**DECLARATION OF TIA Q. NGUYEN**

I, Tia Q. Nguyen, declare as follows:

1. I am counsel of record for Defendant ClassPass USA LLC (“ClassPass”) in this putative class action brought by Plaintiff Lindsey Blackburn (the “plaintiff”) (collectively, the “Parties”). I have personal knowledge of the matters set forth in this declaration and, if called as a witness, I could and would testify competently thereto.

2. On November 26, 2025, ClassPass filed its Notice of Motion and Motion to Stay Pending Arbitration (the “Motion”) with this Court. *See* ECF No. 28.

3. On November 25, 2025, I contacted the plaintiff’s counsel to propose the following briefing schedule in connection with the Motion to ensure that the Parties have sufficient time to fully brief in light of the upcoming holidays:

The plaintiff’s Opposition: January 21, 2026

ClassPass’ Reply: March 4, 2026.

I also proposed that the Parties again agree to continue the current February 17, 2026 Initial Case Management Conference and related deadlines until after briefing is completed on ClassPass’ Motion. Counsel for the plaintiff agreed to the proposed briefing schedule and to ClassPass’ proposal for a continuance of the Initial Case Management Conference.

4. This is the fourth time the parties have sought any scheduling modification in this case. *See* ECF Nos. 13, 19, 23. The Parties’ stipulation will affect the current deadlines associated with ClassPass’ Motion and the current Initial Case Management Conference deadlines, but will not affect any other dates previously set by the Court.

5. This stipulation is not made for the purpose of delay and will not prejudice the Parties.

I declare under penalty of perjury under the laws of the United States and the State of California and Washington that the foregoing is true and correct and that this declaration was executed on this 1st day of December at Seattle, Washington.

/s/ Tia Q. Nguyen